

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MEHMET IBIS,

Plaintiff,

v.

ALBERTO GONZALES, Attorney
General of the United States; MICHAEL
CHERTOFF, Secretary, Department of
Homeland Security; UNITED STATES
CITIZENSHIP AND IMMIGRATION
SERVICES; JOHN THOMPSON, District
Director, Newark Office, U.S. Citizenship
& Immigration Services; EMILIO T.
GONZALEZ, Director, U.S. Citizenship
& Immigration Services; ROBERT
S. MUELLER, III, Director, Federal Bureau
of Investigation; and MICHAEL V.
HAYDEN, Director, Central Intelligence
Agency,

Defendants.

Civ. No. 07-1773 (DRD)

O R D E R

Defendants, having moved to dismiss the complaint of Plaintiff, Mehmet Ibis, pursuant to Fed. R. Civ. P. 12(b)(1), or in the alternative, to remand Plaintiff's Application to CIS for completion of the administrative process, and the court having heard the arguments and reviewed the submissions of the parties, and for the reasons set forth in an opinion of even date,

IT IS, on this 10th day of September, 2007, **ORDERED** as follows:

1. Defendants' motion to dismiss is hereby denied.
2. Defendants' motion to remand is hereby granted.
3. CIS is instructed to use its best efforts to determine the status of Plaintiff's FBI

background check and to expedite the process.

4. Once CIS receives the results of the background check, it is directed to make a decision on Plaintiff's naturalization application as expeditiously as possible, but no later than 60 days after receipt of the results.

5. CIS shall notify this court as soon as a determination has been made on Plaintiff's application.

6. The court will retain jurisdiction to consider alternative remedies shall these efforts prove to be fruitless.

/s/ Dickinson R. Debevoise
DICKINSON R. DEBEVOISE, U.S.S.D.J.